

Deferment, Cancellation and Suspension Policy and Procedure

1.0 Policy

- 1.0 This policy and procedure are implemented to support the RTO 2015 standards and Providers of Education and Training to Overseas Students 2018 (Standard 9)
- 1.1 The following procedures will ensure Swanston Institute follows the required processes when either a student or Swanston Institute, wishes to defer, suspend, or cancel a student's enrolment.
- 1.2 This policy/procedure provides information on the grounds in which an international student's enrolment may be deferred, suspended, or cancelled.
- 1.3 Students are able to initiate deferral, suspension, or cancellation of their studies only in limited circumstances or may have their enrolment suspended by Swanston Institute due to student's misconduct/misbehaviour (as defined in the Procedures below). A student enrolment may be cancelled where a serious breach of Visa or enrolment conditions has occurred.
- 1.4 Swanston Institute informs students of the following:
 - a) Impact of deferring, suspending, or cancelling their enrolment and their student visa.
 - b) Grounds and process for deferring, suspending, and cancelling enrolment pre and post enrolment.
 - c) Their right to appeal a decision Swanston Institute to suspend or cancel their studies within 20 days of receiving notifications Swanston Institute intention.
 - d) Required evidence or supporting documents that can be verified which students must submit to Swanston Institute at the time of lodgement of their application to defer, cancel or suspend their enrolment.

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- 1.5 If Swanston Institute amends a student's enrolment due to exceptional circumstances, which are mentioned in this policy, it will do so via PRISMS and records the reasons for the amendment.
- 1.6 Swanston Institute will not inform the Department of Education of any variation to the enrolment status until the external complaints and appeals process has been completed, if accessed.
- 1.7 All records and relevant information that are exchanged between Swanston Institute and the student, including those records in the student file will be maintained and stored in compliance with Swanston Institute Privacy Policy and Procedures.
- 1.8 The **Administration Manager** is responsible in the implementation of this policy and procedures.

2.0 Procedure

2.1 Student Initiated Deferral, Suspension or Cancellation of Enrolment

Student Initiated Deferral or Suspension

Students may be able to temporarily defer the commencement of their studies or temporarily suspend their enrolment after commencement.

Swanston Institute is only able to temporarily defer or suspend the enrolment of the student due to exceptional circumstances on the grounds of compassionate or compelling circumstances. These circumstances could include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;

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- Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or
- A traumatic experience which could include:
 - ❖ involvement in, or witnessing of a serious accident; or
 - ❖ witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where Swanston Institute is unable to offer a pre-requisite unit
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.
- If an approved deferral of commencement of studies or the suspension of study has been approved in compliance with Swanston Institute policy & procedures.

Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The **Admin Manager** will use their professional judgment and to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, Swanston Institute will consider documentary evidence provided to support the claim and should keep copies of these documents in the student's file.

- A student wishing to defer an enrolment must do so prior to the commencement of the course. Students must complete an 'Application to Defer, Suspend or Cancel enrolment' and submit to the **Student Support Officer**. This application to defer must include in detail the 'compassionate or compelling circumstances' to support the temporary deferral of the start date of their studies.

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- A student wishing to temporarily suspend their studies after commencement must complete an 'Application to Defer, Suspend or Cancel Enrolment' and submit to the **Student Support Officer**. This application for suspension of study must include (in detail) the 'compassionate or compelling circumstances' to support the temporary suspension of studies.
- To process suspension, deferment, or cancellation request further, the student must comply with the written agreement and all policies.

The **Student Support Officer** will:

- Review all applications for deferral or suspension and determine if the application for deferral or suspensions is to be granted or rejected within 10 working days.
- Ensure the student is informed in writing of the outcome of their application for deferral or suspension using the 'Letter of Notification'. This 'Letter of Notification' will also inform the student that the deferment or suspension may affect their student visa and they are advised to contact Department of Home Affairs in relation to the status of their student visa.
- In the case of a student application being rejected the written notification to the student will also be informed of their ability to access the complaints and appeals policy and procedure if they wish to appeal the decision.
- For all approved deferrals, ensure to update and explain the student an alternate training plan (aka special classes) as applicable including changes that may affect the duration of the course.

- I. If a need is identified to organise special classes during the term break or additional study load to complete the course within the COE period,

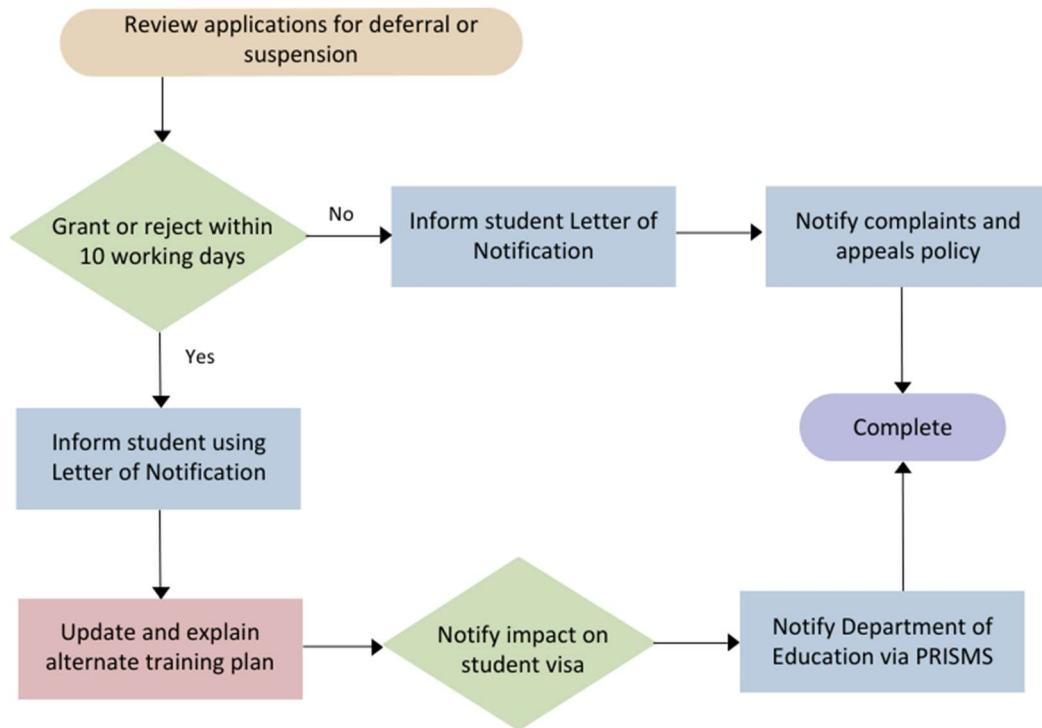
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the student will be provided with an alternate training plan (special timetable) to attend those unit classes during the term breaks and/or in the regular course timetables with a different group.

- II. The records for these alternate training plan will be made available to the student support team along with the units due to be completed.
 - III. The inclusion of alternate training plan during the break periods in the regular timetable ensures that the student is able to meet the learning needs and goals within his/ her CoE duration.
 - IV. If there are no breaks or unit class available with different groups within the course duration, then the CoE will be extended as per availability.
- Maintain all documentation in relation to the deferral or suspension application on the student's file
 - Notify Department of Education via PRISMS of the decision to defer or suspend a student enrolment as a result of the student's request.

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DEFERRAL PROCESS



Student Initiated Cancellation

A student may request to cancel their enrolment where they have decided to discontinue studying with Swanston Institute.

1. Prior to completing 6 months of study in their principal course

Students wishing to transfer their enrolment prior to completing 6 months of study in their principal course must provide a letter of offer from an alternative provider along with their

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application form and submit it to the **Student Support Officer**. Please refer to the 'Transfer between Providers Policy and Procedure' for further information on this.

2. After completing 6 months of study in their principal course

Students wishing to cancel their enrolment must complete an 'Application to Defer, Suspend or Cancel Enrolment' and submit to the **Student Support Officer**.

- The **Student Support Officer** will:
 - ❖ Maintain all application documentation for the cancellation of enrolment on the student's file
 - ❖ Notify Department of Education via PRISMS of the decision to cancel the enrolment as a result of the student's request.
 - ❖ Will ensure the student is informed in writing of the outcome of their application for cancellation. This written notification will also inform the student that the cancellation may affect their student visa and they are advised to contact Department of Home Affairs in relation to the status of their student visa.

Students will be required to refer to their written agreement and the Refunds Policy and Procedure for details of the refund arrangements in place where an enrolment is cancelled.

2.2 Provider Initiated Deferral, Suspension or Cancellation of Enrolment

Provider Initiated Deferral

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Swanston Institute may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason. Swanston Institute deems necessary to cancel the course. In such cases a refund shall be processed as required or alternative courses offered. Please see 'Provider Default' within the Refund Policy and Procedure.

Provider Initiated Suspension or Cancellation

Swanston Institute may suspend or cancel a student enrolment where they have not paid fees as documented in their written agreement or has behaved in a manner that is not appropriate for an education setting such as misbehaviour. Such actions may include but is not limited to acts of discrimination, sexual harassment, vilification or bullying, as well as acts of cheating or plagiarism. Such acts of misbehaviour will be classified into one of two categories – Academic Misconduct or General Misconduct. Where the Academic or General Misconduct is considered severe enough, Swanston Institute has the right to cancel the student enrolment.

Academic Misconduct

The following gives an indication to the types of behaviour that constitute 'Academic Misconduct' at Swanston Institute.

- Students must not copy or paraphrase any document, audio-visual material, computer-based material, or artistic piece from another source except in accordance with the conventions of the field of study
- Students must not use another person's concepts, results or conclusions and pass them off as their own

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- In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
- Students must not ask another person to produce an assessable item for them.
- Students who do not meet satisfactory course requirements will be cancelled on the basis on Unsatisfactory Course Progress. Please refer to the 'Monitoring International Students Course Progress Policy & Procedures' for more details.

General Misconduct

General misconduct is where a student has acted in a manner that is not appropriate for an education setting.

The following examples indicate the kinds of behaviour which constitute student misconduct/misbehaviour. They are for illustrative purposes and are not intended to be exhaustive. Examples of General Misconduct may include where a student has:

- Non-payment of fees as documented in the student's written agreement. For further details on the cancellation due to non-payment, please refer to the 'Fees and Refund Policy & Procedures'
- contravenes any rules or acts;
- prejudices the good name or reputation of Swanston Institute;
- prejudices the good order and governance of Swanston Institute or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of Swanston Institute;
- fails to comply with conditions agreed in the contract;

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- wilfully disobeys or disregards any lawful order or direction from Swanston Institute personnel;
- refuses to identify him or herself when lawfully asked to do so by an officer Swanston Institute;
- fails to comply with any penalty imposed for breach of discipline;
- misbehaves in a class, meeting or other activity under the control or supervision of Swanston Institute, or on Swanston Institute premises or other premises to which the student has access as a student at Swanston Institute;
- obstructs any member of staff in the performance of their duties;
- acts dishonestly in relation to admission to Swanston Institute;
- knowingly makes any false or misleading representation about things that concern the student as a student at Swanston Institute or breaches any Swanston Institute rules;
- alters any documents or records;
- harasses or intimidates another student, a member of staff, a visitor Swanston Institute, or any other person while the student is engaged in study or other activity at Swanston Institute, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaches any confidence of Swanston Institute;
- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from Swanston Institute premises while acting as a Swanston Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- steals, destroys, or damages a facility or property of Swanston Institute or for which Swanston Institute is responsible; or

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- is guilty of any improper conduct

Where a student has been identified of Academic or General Misconduct the **Admin Manager** shall be informed and will make a decision on the penalty and the severity of the penalty. The **Admin Manager** may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.

The penalties at Swanston Institute may impose include:

- Non-payment of fees may result in suspension of studies until such time as the remaining fees are paid or cancel the enrolment where it has been determined the collection of fees will not be possible. For further details on the cancellation due to non-payment, please refer to the 'Fees and Refund Policy & Procedures'
- Academic Misconduct could include a warning, repeating an assessment task, deemed NYC in the unit of competency, or suspension or cancellation of enrolment. Please refer to the 'Monitoring International Students Course Progress Policy & Procedures' for more details.
- General Misconduct may result in a warning, a charge for any costs that may have caused, request for formal apology if the action affected a third party, or suspension or cancellation of enrolment

Where a student has been identified with Academic or General Misconduct Swanston Institute shall ensure the following:

- Students must be treated fairly, with dignity and with due regard to their privacy
- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the **Admin Manager** to have so behaved.

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- Past misconduct is not evidence that a student has behaved in the same manner again.
- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

Where a decision to suspend or cancel a student enrolment Swanston Institute will inform the student in writing ('Letter of Student Misconduct (Suspension or Cancellation') of the following:

- The intention to suspend or cancel the student enrolment.
- That he or she has 20 working days in which to access Swanston Institute Complaints and Appeals policy and procedure and start the process of appealing the decision to suspend or cancel the enrolment. The student enrolment will not be cancelled or suspended until after this appeal period has passed.
- Where the student enrolment is to be suspended the length of the suspension must be included.
- Where the enrolment is to be cancelled the effective date of the cancellation (at least 20 working days from the date of the letter).
- Students must also be informed that Swanston Institute is obliged to inform Department of Education via PRISMS after the 20-day period of the suspension or cancellation and this may affect their student visa.
- Students will be advised to contact Department of Home Affairs in relation to the status of their student visa.

The [Student Support Officer](#) will:

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- Maintain all application documentation for the suspension or cancellation of enrolment on the student's file.
- Notify Department of Education via PRISMS of the decision to suspend or cancel the enrolment as a result of the student's request only after the appeals period has passed. Where a student decides to access the complaints and appeals policy and procedure within 20 working days, the student must not be reported until the process has finished.

2.3 Default Notifications

Any provider or student cancellation must be reported by the [Student Support Officer](#) as follows:

- A.** Provider Default within 3 business days of the default occurring and the outcome of the discharge of the Institute's obligation within 7 days after the end of the Institute obligation period (the Institute's obligation period is 10 business days after the day of the default).
- B.** Student Default within 5 business days of the default occurring and the outcome of the discharge of the Institute's obligation within 7 days after the end of the Institute obligation period.

Additionally, Swanston Institute must report the outcome of the provider or student default within 10 working days of the end of the default period, i.e., report whether the student took the offer of an alternative course or a refund, and, if a refund, how much was paid.

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All default notifications and reporting are to be completed through PRISMS by the Administration Manager using the following guide as per the link below.

<https://prisms.education.gov.au/Logon/Logon.aspx>

Relevant documents:

- Transfer between Providers Policy and Procedure
- Student Handbook
- Application to Defer, Suspend or Cancel enrolment form
- Letter of Notification for Approval/Rejection
- Letter of Student Misconduct (Suspension or Cancellation)